

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

PRESENT: Supervisor Ed Fairbrother
 Council Andy Gillette
 Bob Adams
 Lee Giammichele
 Mike Saglibene
 Junior Council Nicole Cross
 Attorney Tom Reilly
 Town Clerk Linda Cross

Supervisor Fairbrother called the Water Board meeting to order at 7:00 p.m. and requested those present to participate in the Pledge of Allegiance.

PUBLIC HEARING: 7:00 p.m. Extension of Water Districts 1, 2, & 3

Supervisor Fairbrother called the public hearing to order at 7:02 p.m., and read the legal notice duly advertised in the Elmira Star Gazette on April 11, 2015, to allow public comments regarding the proposed Water District # 1, 2 & 3 extension.

IN FAVOR: Brian Vesneske, James Hatch, Randy Brigham, Leslie Roy, Donna Sauer
 Donald Sauer, Leon Smith, Carrie Smith, Richard Peterson, K. McKee, James
 Haley, Margaret Haley, Jane McMillen, James McMillen, Cheryl Geintz, Charles
 Nalbach, Carmen Divincenzo, Elizabeth & Douglas Lewis, Walter & Shelia
 Schaller, Mary Peterson, William Hagios, Jason FiField.

OPPOSITION: Carol Clune

COMMENTS: None

Since there were no further comments, Supervisor Fairbrother closed the public hearing at 8:09 p.m.

UNFINISHED BUSINESS

RESOLUTION NO. 109-15 EXTENSION OF BIG FLATS WATER DISTRICTS # 1, 2 & 3 APPROVED

Resolution by: Gillette
Seconded by: Giammichele

WHEREAS the Town of Big Flats held a public hearing on April 22, 2015 regarding a proposed extension of the Town of Big Flats Water Districts # 1, 2 & 3, and

WHEREAS the Town of Big Flats Town Clerk has a certified copy of the Resolution setting the date for a public hearing regarding this issue published as required in the official newspaper of the town, and

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

WHEREAS for environmental review purposes, interpreting an existing code, and adoption of regulations, policies, or procedures and local legislative decisions are Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (31, 27) and as such no further action is necessary regarding the same, now

BE IT THEREFORE be enacted by the Town Board of Big Flats as follows: That the proposed extension as set forth in Schedule A which was attached to Resolution 99-15 and is attached hereto is hereby approved.

SCHEDULE "A"

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWN OF BIG FLATS, COUNTY OF CHEMUNG, STATE OF NEW YORK, BEING WATER DISTRICTS 1-3 FOR THE TOWN OF BIG FLATS AND BEING MORE ACCURATELY BOUNDED AND DESCRIBED AS FOLLOWS:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Big Flats, County of Chemung, State of New York and more particularly described as follows:

Beginning at a point on the southern right of way line of County Route 64, said point being the northeastern corner of Tax Map Parcel No. 58.03-1-3 and being on the eastern boundary line of the Town of Big Flats;

Thence in a southerly direction along the Town of Big Flats Town line a distance of 1747.75 +/- feet to a point, said point being on the northerly right of way line of Pennsylvania Lines and being on the easterly boundary line of the Town of Big Flats;

Thence in a southwesterly direction along the northerly right-of-way line of Pennsylvania Lines LLC a distance of 3393 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 57.04-1-6;

Thence in an southeasterly direction across the property of Pennsylvania Lines LLC to a point, said point being on the southerly right-of-way line of Pennsylvania Lines LLC, and being the northeast corner of Tax Map Parcel No. 68.00-1-4;

Thence in a southerly direction along the eastern boundary line of Tax Map Parcel No. 68.00-1-4 a distance of 1158 +/- feet to point, said point being the southeast corner of Tax Map Parcel No. 68.00-1-4;

Thence in an westerly direction along the southern boundary line of Tax Map Parcel No. 68.00-1-4 a distance of 2389 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 68.00-1-4;

Thence in a southerly direction along the eastern boundary line of Tax Map Parcel No. 68.00-1-2 a distance of 806 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 68.00-1-2;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel No. 68.00-1-2 a distance of 1950 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 68.00-1-2;

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Thence in a northwesterly direction along the western boundary line of Tax Map Parcel No. 68.00-1-2 a distance of 703 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 67.02-1-6;

Thence in a westerly direction along the southern boundary line of Tax Map Parcel Nos. 67.02-1-6, 67.02-1-8 and 67.02-1-9 a distance of 1198 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 67.02-1-9;

Thence in a northwesterly direction along the western boundary line of Tax Map Parcel No. 67.02-1-9 a distance of 1909 +/- feet to a point; said point being the north corner of Tax Map Parcel No. 67.02-2-5;

Thence in a southeasterly direction along the northern boundary line of Tax Map Parcel No. 67.02-2-5 a distance of 749 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 67.02-2-5;

Thence in a northwesterly direction along the eastern boundary line of Tax Map Parcel Nos. 67.02-2-4 and 67.02-2-3 a distance of 734 +/- feet to a point; said point being the north corner of Tax Map Parcel No. 67.02-2-3;

Thence in a southwesterly direction along the northern boundary line of Tax Map Parcel No. 67.02-2-2 a distance of 599 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 67.02-2-2;

Thence in a southerly direction along the western boundary line of Tax Map Parcel No. 67.02-2-2 a distance of 422 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 67.02-2-2;

Thence in a northwesterly direction along the northern right-of-way line of Farr Lane a distance of 552 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 67.01-1-33;

Thence in a northwesterly direction along the eastern boundary line of Tax Map Parcel No. 67.01-1-33 a distance of 210 +/- feet to a point; said point being the northeast corner of Tax Map Parcel No. 67.01-1-33;

Thence in a southwesterly direction along the northern boundary line of Tax Map Parcel Nos. 67.01-1-33, 67.01-1-32 and 67.01-1-31 a distance of 360 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 67.01-1-31;

Thence in a southeasterly direction along the western boundary line of Tax Map Parcel No. 67.01-1-31 a distance of 210 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 67.01-1-31 and being on the northerly right-of-way line of Farr Lane;

Thence in a southeasterly direction across the right-of-way of Farr Lane a distance of 50 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 67.01-1-34 and being on the southerly right-of-way line of Farr Lane;

Thence in an easterly direction along the southern right-of-way of Farr Lane a distance of 714 +/- feet to a point; said point being the northeast corner of Tax Map Parcel No. 67.02-2-12;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel No. 67.02-2-12 a distance of 730 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 67.02-2-12;

Thence in a southeasterly direction along the eastern boundary line of Tax Map Parcel No. 67.02-2-13 a distance of 391 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 67.02-2-13;

Thence in a westerly direction along the southern boundary line of Tax Map Parcel No. 67.02-2-13 a distance of 503 +/- feet to a point; said point being the north corner of Tax Map Parcel No. 67.04-1-5;

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel No. 67.02-2-13 a distance of 46 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 67.02-2-13;

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 67.02-2-13 a distance of 533 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 67.02-2-13;

Thence in a northwesterly direction along the western boundary line of Tax Map Parcel Nos. 67.01-1-37, 67.01-1-38, 67.01-1-39, 67.01-1-40 and 67.01-1-41 a distance of 476 +/- feet to a point; said point being the west corner of Tax Map Parcel No. 67.01-1-44;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel Nos. 67.01-1-44, 67.01-1-45, and 67.01-1-46 a distance of 306 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 67.01-1-47;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel No. 67.01-1-47 a distance of 89 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 67.01-1-47;

Thence in a northwesterly direction along the western boundary line of Tax Map Parcel No. 67.01-1-47 a distance of 101 +/- feet to a point; said point being the northeast corner of Tax Map Parcel No. 67.01-1-48;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel No. 67.01-1-48 a distance of 189 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 67.01-1-48 and being on the eastern right-of-way line of Harris Hill Road;

Thence in a southwesterly direction across the right-of-way of Harris Hill Road a distance of 55 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 67.03-3-29.4 and being on the western right-of-way line of Harris Hill Road;

Thence in a southeasterly direction along the western right-of-way of Harris Hill Road a distance of 1758 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 67.03-3-29.23 and being on the western right-of-way line of Harris Hill Road;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel No. 67.03-3-29.23 a distance of 299 +/- feet to a point; said point being the west corner of Tax Map Parcel No. 67.04-1-9;

Thence in a southeasterly direction along the western boundary line of Tax Map Parcel No. 67.03-3-29.22 a distance of 200 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 67.03-3-29.22;

Thence in a southwesterly direction along the southeastern boundary line of Tax Map Parcel No. 67.03-3-29.22 a distance of 227 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 67.03-3-29.22;

Thence in a northwesterly direction along the southwestern boundary line of Tax Map Parcel No. 67.03-3-29.22 a distance of 227 +/- feet as it follows the drainage way to a point; said point being the southeast corner of Tax Map Parcel No. 67.03-3-29.25;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel Nos. 67.03-3-29.25, 67.03-3-29.26 and 67.03-3-29.27 a distance of 703 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 67.03-3-29.27;

Thence in a southeasterly direction along the western boundary line of Tax Map Parcel No. 67.00-1-2 a distance of 2976 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 67.03-3-29.32;

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Thence in a northeasterly direction along the northern boundary line of Tax Map Parcel No. 77.00-1-5 a distance of 606 +/- feet to a point; said point being the northeast corner of Tax Map Parcel No. 77.00-1-5;

Thence in a southeasterly direction along the eastern boundary line of Tax Map Parcel Nos. 77.00-1-5 and 77.00-1-6 a distance of 2117 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 77.00-1-6;

Thence in a southwesterly direction across the northern right-of-way of Harris Hill Road a distance of 50 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 77.00-1-28.1 and being on the southern right-of-way line of Harris Hill Road;

Thence in a southeasterly direction along the western boundary line of Tax Map Parcel No. 77.00-1-28.1 a distance of 520 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 77.00-1-6;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel No. 77.00-1-6 a distance of 709 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 77.00-1-28.2;

Thence in a southeasterly direction along the western boundary line of Tax Map Parcel Nos. 77.00-1-28.1, 77.00-1-28.2, 77.00-1-29 and 77.00-1-30 a distance of 2992 +/- feet to a point; said point being the southeasterly portion of Tax Map Parcel No. 77.00-1-30;

Thence in a southwesterly direction along the northern boundary line of Tax Map Parcel No. 77.00-1-30 a distance of 581 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 77.00-1-31;

Thence in a northwesterly direction along the eastern boundary line of Tax Map Parcel No. 77.00-1-31 a distance of 1768 +/- feet to a point; said point being the northeast corner of Tax Map Parcel No. 77.00-1-31;

Thence in a southwesterly direction along the northern boundary line of Tax Map Parcel No. 77.00-1-31 a distance of 1853 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 77.00-1-31;

Thence in a northwesterly direction along the eastern boundary line of Tax Map Parcel Nos. 77.00-1-32.13 and 77.00-1-32.12 a distance of 1309 +/- feet to a point; said point being the north corner of Tax Map Parcel No. 77.00-1-32.12 and being on the easterly right-of-way line of Harris Hill Road;

Thence in a northerly direction on the eastern right-of-way line of Harris Hill Road a distance of 552 +/- feet to a point, said point being on the eastern right-of-way line of Harris Hill Road;

Thence in a westerly direction across the right-of-way of Harris Hill Road a distance of 50 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 77.00-1-4 and being on the westerly right-of-way line of Harris Hill Road;

Thence in a northwesterly direction along the eastern boundary line of Tax Map Parcel Nos. 77.00-1-4 and 77.00-1-3 a distance of 1950 +/- feet to a point; said point being the southeast corner of Tax Map Parcel No. 76.00-2-30;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel No. 76.00-2-30 a distance of 4116 +/- feet to a point; said point being on the southern boundary line of Tax Map Parcel No. 76.00-2-30, and being 1555 +/- feet from the easterly right-of-way line of New York State Route 352;

Thence in a northwesterly direction across the property of Tax Map Parcel Nos. 76.00-2-30 and 76.00-2-28 a distance of 976 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 76.00-2-27;

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Thence in a westerly direction along the southern boundary line of Tax Map Parcel Nos. 76.00-2-27 and 76.00-2-26.12 a distance of 1857 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 76.00-2-26.12 and being on the eastern right-of-way line of New York State Route 352;

Thence in a northwesterly direction along the eastern right-of-way of New York State Route 352 a distance of 3444 +/- feet to a point; said point being the northwest corner of Tax Map Parcel No. 66.04-4-47 and being on the eastern right-of-way line of New York State Route 352;

Thence in a southeasterly direction across the right-of-way of New York State Route 352 a distance of 94 +/- feet to a point; said point being the northeast corner of Tax Map Parcel No. 76.00-2-17 and being on the western right-of-way line of New York State Route 352;

Thence in a northwesterly direction along the western right-of-way of New York State Route 352 a distance of 58 +/- feet to a point; said point being the northeast corner of Tax Map Parcel No. 76.00-2-16 and being on the western right-of-way line of New York State Route 352;

Thence in a southwesterly direction along the southern boundary line of Tax Map Parcel No. 76.00-2-15 a distance of 84 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 76.00-2-15;

Thence in a southeasterly direction along the western boundary line of Tax Map Parcel No. 76.00-2-16 a distance of 38 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 76.00-2-16;

Thence in a westerly direction along the northern boundary line of Tax Map Parcel No. 76.00-2-17 a distance of 454 +/- feet to a point, said point being on the northwest corner of Tax Map Parcel No. 76.00-2-17;

Thence in a southerly direction along the western boundary line of Tax Map Parcel No. 76.00-2-17 a distance of 467 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 76.00-2-17;

Thence in a easterly direction along the southern boundary line of Tax Map Parcel No. 76.00-2-17 a distance of 284 +/- feet to a point, said point being the northwesterly corner of Tax Map Parcel No. 76.00-2-19;

Thence in a southerly direction along the western boundary line of Tax Map Parcel Nos. 76.00-2-19 and 76.00-2-21 as it follows Gardner Creek a distance of 1111 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 76.00-2-21;

Thence in a easterly direction along the southern boundary line of Tax Map Parcel No. 76.00-2-21 a distance of 1228 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 76.00-2-21 and being on the westerly right-of-way line of New York State Route 352;

Thence in a southeasterly direction along the western right-of-way of New York State Route 352 a distance of 275 +/- feet to a point, said point being the north corner of Tax Map Parcel No. 76.00-2-23 and being on the westerly right-of-way line of New York State Route 352;

Thence in a southerly direction along the western boundary line of Tax Map Parcel Nos. 76.00-2-23, 76.00-2-24 and 76.00-2-25 a distance of 1613 +/- feet to a point, said point being the west corner of Tax Map Parcel No. 76.00-2-25, and being on the northern bank of the Chemung River;

Thence in a westerly direction along the northern bank of the Chemung River a distance of 4360 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 76.00-2-1.3;

Thence in a northerly direction along the eastern boundary line of Tax Map Parcel No. 76.00-2-1.3 a distance of 345 +/- feet to a point, said point being the northeasterly corner of Tax Map Parcel No. 76.00-2-1.3;

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Thence in a westerly direction along the northern boundary line of Tax Map Parcel No. 76.00-2-1.3 a distance of 599 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 76.00-2-2;

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 76.00-2-2 a distance of 585 +/- feet to a point, said point being the north corner of Tax Map Parcel No. 76.00-2-1.3 and being on the easterly right-of-way line of South Corning Road;

Thence in a northerly direction along the eastern right-of-way of South Corning Road a distance of 1551 +/- feet to a point, said point being on the northwest corner of Tax Map Parcel No. 76.00-2-1.1 and being the southeast intersection of the right-of-way lines of South Corning Road and New York State Route 352;

Thence in a northerly direction across the right-of-way of New York State Route 352 a distance of 55 +/- feet to a point; said point being the southwest corner of Tax Map Parcel No. 66.03-1-28.2 and being on the northern right-of-way line of New York State Route 352;

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 76.00-2-28.2 a distance of 841 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 76.00-2-28.2;

Thence in a northeasterly direction along the southerly right-of-way line of Pennsylvania Lines LLC a distance of 1319 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 66.03-1-22.3;

Thence in a northeasterly direction across the right-of-way line of Pennsylvania Lines LLC a distance of 246 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 66.03-1-6;

Thence in a northerly direction along the western boundary line of Tax Map Parcel Nos. 66.03-1-6, 66.03-1-5 and 66.03-1-4 a distance of 1281 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 66.03-1-4;

Thence in a northeasterly direction along the southern right-of-way line of Interstate 86 (New York State Route 17) a distance of 5373 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 66.02-2-49 and being on the southern right-of-way line of Interstate 86 (New York State Route 17);

Thence in a northeasterly direction along the western boundary line of Tax Map Parcel No. 66.02-2-46 a distance of 26 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 66.02-2-46 and being on the southern right-of-way line of Interstate 86 (New York State Route 17);

Thence in a northeasterly direction across the right-of-way line of Interstate 86 (New York State Route 17) a distance of 371 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 66.02-2-33 and being on the northern right-of-way line of Interstate 86 (New York State Route 17);

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 66.02-2-33 a distance of 538 +/- feet to a point, said point being on the northwest corner of Tax Map Parcel No. 66.02-2-33;

Thence in a easterly direction along the northern boundary line of Tax Map Parcel No. 66.02-2-33 a distance of 509 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 66.02-2-31.122 and being on the northern right-of-way line of Interstate 86 (New York State Route 17);

Thence in a northerly direction along the eastern boundary line of Tax Map Parcel No. 66.02-2-31.122 a distance of 178 +/- feet to a point, said point being on the southerly boundary line of Tax

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Map Parcel No. 66.02-2-31.123 and being on the northern right-of-way line of Interstate 86 (New York State Route 17);

Thence in an easterly direction along the southern boundary line of Tax Map Parcel No. 66.02-2-31.123 a distance of 124 +/- feet to a point, said point being the south corner of Tax Map Parcel No. 66.02-2-31.123 and being on the northern right-of-way line of Interstate 86 (New York State Route 17);

Thence in a northwesterly direction along the eastern boundary line of Tax Map Parcel No. 66.02-2-31.123 a distance of 538 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 66.02-2-31.123;

Thence in a southwesterly direction along the right-of-way line of Daniel Zenker Drive a distance of 260 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 66.02-2-31.123 and being on the southern right-of-way line of Daniel Zenker Drive;

Thence in a northerly direction across the right-of-way of Daniel Zenker Drive a distance of 114 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 66.02-2-31.11;

Thence in a northerly direction along the eastern boundary line of Tax Map Parcel No. 66.02-2-31.11 a distance of 440 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 66.02-2-31.11;

Thence in a westerly direction along the northern boundary line of Tax Map Parcel No. 66.02-2-31.11 a distance of 1423 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 66.02-2-31.171;

Thence in a northerly direction along the western boundary line of Tax Map Parcel Nos. 66.02-2-31.171 and 56.04-1-2.1 a distance of 2181 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 56.04-1-2.1;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel No. 56.04-1-2.1 a distance of 477 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 56.04-1-2.2;

Thence in a northerly direction along the eastern boundary line of Tax Map Parcel No. 56.04-1-2.2 a distance of 631 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 56.04-1-2.2;

Thence in a westerly direction along the northern boundary line of Tax Map Parcel No. 56.04-1-2.2 a distance of 116 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 56.00-1-46.111;

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 56.04-3-1 a distance of 138 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 56.04-3-1;

Thence in a northeasterly direction along the northern boundary line of Tax Map Parcel No. 56.04-3-1 a distance of 574 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 56.00-1-46.13;

Thence in a northeasterly direction along the western boundary line of Tax Map Parcel Nos. 56.00-1-46.111, 56.00-1-46.3, 56.04-4-5, 56.00-1-45.3 a distance of 1194 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 56.00-1-45.3;

Thence in a westerly direction along the southern boundary line of Tax Map Parcel No. 56.00-1-45.2 a distance of 28 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 56.00-1-45.2;

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 56.00-1-45.2 a distance of 66 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 56.00-1-45.2;

Thence in a westerly direction along the southeastern boundary line of Tax Map Parcel No. 56.00-1-40 and 56.00-1-41 a distance of 621 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 56.00-1-40;

Thence in a northeasterly direction along the western boundary line of Tax Map Parcel No. 56.00-1-40 a distance of 513 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 56.00-1-40 and being on the southerly right-of-way line of Eacher Hollow Road;

Thence in a northwesterly direction across the right-of-way of Eacher Hollow Road a distance of 112 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 56.00-1-32 and being on the northerly right-of-way line of Eacher Hollow Road;

Thence in a northeasterly direction along the western boundary line of Tax Map Parcel No. 56.00-1-32 a distance of 184 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 56.00-1-32;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel Nos. 56.00-1-32, 56.00-1-31.1, 56.00-1-31.2, and 56.00-1-28, as it follows Eacher Hollow Creek a distance of 725 +/- feet to a point, said point being on the northeast corner of Tax Map Parcel No. 56.00-1-28 and being on the westerly right-of-way line of Breed Hollow Road;

Thence in a easterly direction across the right-of-way line of Breed Hollow Road a distance of 50 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 57.01-1-1 and being on the easterly right-of-way line of Breed Hollow Road;

Thence in an northerly direction along the eastern right-of-way line of Breed Hollow Road a distance of 1251 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 56.00-1-25 and being on the easterly right-of-way line of Breed Hollow Road;

Thence in a easterly direction along the northern boundary line of Tax Map Parcel No. 56.00-1-25 a distance of 438 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 56.00-1-25;

Thence in a southwesterly direction along the western boundary line of Tax Map Parcel No. 56.00-1-24 a distance of 362 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 56.00-1-24;

Thence in an easterly direction along the southern boundary line of Tax Map Parcel No. 56.00-1-24 a distance of 284 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 56.00-1-4 and being on the western right-of-way line of Hibbard Road;

Thence in a southerly direction across the right-of-way of Hibbard Road a distance of 264 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 56.00-1-23.2 and being on the easterly right-of-way line of Hibbard Road;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel No. 56.00-1-23.2 a distance of 1162 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 56.00-1-23.2;

Thence in a southerly direction along the eastern boundary line of Tax Map Parcel No. 56.00-1-23.2 a distance of 365 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 56.00-1-23.2;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel No. 57.01-1-1 a distance of 1308 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 57.01-1-1;

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Thence in a southerly direction along the eastern boundary line of Tax Map Parcel No. 57.01-1-1 a distance of 1706 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 57.01-2-2.2;

Thence in a easterly direction along the northern boundary line of Tax Map Parcel No. 57.01-2-2.2 a distance of 603 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 57.03-2-2.2;

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 57.03-2-3.1 a distance of 3229 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 57.03-2-3.1;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel Nos. 57.03-2-3.1, 57.03-2-4, 57.03-2-6, 57.03-2-7, and 57.03-2-9.11 a distance of 2958 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 57.03-2-9.11, and being on the western right-of-way line of Yawger Road;

Thence in a southerly direction along the western right-of-way line of Yawger Road a distance of 3380 +/- feet to a point, said point being the southwesterly corner of Tax Map Parcel No. 57.03-2-10, and being the westerly right-of-way line of Yawger Road;

Thence in an easterly direction across Yawger Road a distance of 50 +/- feet to a point, said point being on the eastern right-of-way line of Yawger Road;

Thence in a northerly direction along the eastern right-of-way line of Yawger Road a distance of 586 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 57.01-1-28.12 and being on the easterly right-of-way line of Yawger Road;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel No. 57.01-1-28.12 a distance of 399 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 57.01-1-28.12;

Thence in a northerly direction along the eastern boundary line of Tax Map Parcel Nos. 57.01-1-28.13 and 57.01-1-28.11 a distance of 2879 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 57.02-1-65.3;

Thence in a easterly direction along the northern boundary line of Tax Map Parcel Nos. 57.02-1-65.3, 57.02-1-64 and 57.02-1-63 a distance of 1895 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 57.02-1-62;

Thence in a northeasterly direction along the western boundary line of Tax Map Parcel Nos. 57.02-1-62, 57.02-1-61, 57.02-1-60, 57.02-1-59, 57.02-1-58.1, 57.02-1-58.2, a distance of 768 +/- feet to a point, said point being the north corner of Tax Map Parcel No. 57.02-1-58.2, and being on the southerly right-of-way line of Park Terrace;

Thence in a northerly direction across the right-of-way of Park Terrace a distance of 50 +/- feet to a point, said point being on the northerly right-of-way line of Park Terrace, and being the west corner of Tax Map Parcel No. 57.01-1-57;

Thence in a northeasterly direction along the northern boundary line of Tax Map Parcel Nos. 57.02-1-57, 57.02-1-56, 57.02-1-55, 57.02-1-54, 57.02-1-53, 47.04-1-39.21, 47.04-1-39.23, a distance of 501 +/- feet to a point, said point being on the northwest corner of Tax Map Parcel No. 47.04-1-39.22; and being on the southern right-of-way line of Ponderosa Drive;

Thence in a northerly direction across the right-of-way of Ponderosa Drive a distance of 50 +/- feet to a point, said point being on the northerly right-of-way line of Ponderosa Drive, and being the southwest corner of Tax Map Parcel No. 47.04-1-39.1;

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Thence in a northerly direction along the western boundary line of Tax Map Parcel Nos. 47.04-1-39.1 and 47.04-1-38 a distance of 325 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 47.04-1-8;

Thence in a westerly direction along the southern boundary line of Tax Map Parcel No. 47.04-2-2.1 a distance of 1066 +/- feet to a point, said point being the southwest corner of Tax Map Parcel No. 47.04-2-2.1;

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 47.04-2-2.1 a distance of 693 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 47.04-2-2.1;

Thence in a easterly direction along the northern boundary line of Tax Map Parcel No. 47.04-2-2.1 a distance of 1066 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 47.04-2-2.1, and being on the western right-of-way line of Chambers Road;

Thence in a southeasterly direction across the right-of-way of Chambers Road a distance of 107 +/- feet to a point, said point being on the easterly right-of-way line of Chambers Road, and being the northwest corner of Tax Map Parcel No. 47.04-2-3;

Thence in a northeasterly direction along the northern boundary line of Tax Map Parcel No. 47.04-2-3 a distance of 235 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 47.04-2-3, and being on the center line of Sing Sing Creek;

Thence in a southerly direction along the western boundary line of Tax Map Parcel No. 47.04-2-3 a distance of 326 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 47.04-1-55, and being on the center line of Sing Sing Creek;

Thence in a southerly direction along the western boundary line of Tax Map Parcel Nos. 47.04-1-55 and 47.04-1-54 a distance of 257 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 47.04-1-53;

Thence in a easterly direction along the northern boundary line of Tax Map Parcel No. 47.04-1-53 a distance of 275 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 47.04-1-53, and being on the western right-of-way line of Stonybrook Drive;

Thence in an easterly direction across the right-of-way of Stonybrook Drive a distance of 50 +/- feet to a point, said point being on the easterly right-of-way line of Stonybrook Drive, and being the northwest corner of Tax Map Parcel No. 47.04-1-75;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel Nos. 47.04-1-75, 47.04-1-76, 47.04-1-77.2, 47.04-1-77.1, 47.04-1-78, 47.04-1-79, 47.04-1-80, and 47.04-1-81 a distance of 1193 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 47.04-1-81, and being on the western right-of-way line of Birch Road;

Thence in an easterly direction across the right-of-way of Birch Road a distance of 50 +/- feet to a point, said point being on the easterly right-of-way line of Birch Road, and being the northwest corner of Tax Map Parcel No. 47.04-1-82;

Thence in a easterly direction along the southern boundary line of Tax Map Parcel No. 47.04-1-56.2 a distance of 223 +/- feet to a point, said point being the southeast corner of Tax Map Parcel No. 47.04-1-56.2;

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 47.04-1-85 a distance of 1724 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 47.04-1-85;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel Nos. 47.04-1-85, and 48.03-1-2.32 a distance of 1270 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 48.03-1-2.32;

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Thence in a southerly direction along the eastern boundary line of Tax Map Parcel No. 48.03-1-2.32 a distance of 1744 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 48.03-1-73;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel No. 48.03-1-73 a distance of 140 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 48.03-1-73, and being on the western boundary line of Tax map Parcel No. 48.03-1-74.11;

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 48.03-1-74.11 a distance of 279 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 48.03-1-74.11;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel No. 48.03-1-74.11 a distance of 67 +/- feet to a point, said point being on the southern right-of way line of Woodland Way;

Thence in an easterly direction along the southern right-of-way line of Woodland Way and across the right of way of Barnes Hill Road a distance of 642 +/- feet to a point, said point being on the western right-of way line of Barnes Hill Road;

Thence in a northerly direction along the western right-of-way line of Barnes Hill Road a distance of 3944 +/- feet to a point, said point being on the eastern right-of way line of Barnes Hill Road, and being the northwest corner of Tax Map Parcel No. 48.03-4-98;

Thence in an easterly direction along the northern boundary line of Tax Map Parcel No. 48.03-4-98 a distance of 192 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 48.03-4-98;

Thence in an southeasterly direction along the northern boundary line of Tax Map Parcel No. 48.03-4-98 the following distances 999.21, 637.40, and 953.41 for a total distance of 2590 +/- feet to a point, said point being the northeasterly corner of Tax Map Parcel No. 48.03-4-98 and being on the western boundary line of Tax Map Parcel No. 48.01-2-6.11;

Thence in a northerly direction along the western boundary line of Tax Map Parcel No. 48.01-2-6.11 a distance of 2196 +/- feet to a point, said point being the northwest corner of Tax Map Parcel No. 48.01-2-6.11;

Thence in a southeasterly direction along the northern boundary line of Tax Map Parcel No. 48.01-2-6.11 a distance of 1075 +/- feet to a point, said point being the northeast corner of Tax Map Parcel No. 48.01-2-6.11;

Thence in a southerly direction along the eastern boundary line of Tax Map Parcel No. 48.01-2-6.11 a distance of 3366 +/- feet to a point, said point being the northeasterly corner of Tax Map Parcel No. 48.01-2-6.11, and being on the eastern boundary line of the Town of Big Flats;

Thence southerly along the easterly boundary line of the Town of Big Flats a distance of 7741 +/- feet to the point of beginning.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

NEW BUSINESS

RESOLUTION NO. 110-15
PURCHASE OF STANDARDIZATION OF WATER METERS APPROVED

Resolution by: Giammichele

Seconded by: Adams

WHEREAS, the Water Department of the Town of Big Flats has recommended purchase of Automatic meter reading (AMR) water meters and related equipment, and

WHEREAS the Town has considered standardization of this equipment to maintain efficiency and compatibility in the Town's water measuring systems, and

WHEREAS for that purpose and on recommendation of its Water Department it is determined Master Meter's BLMJ 3G meters with integral radio read for meters 5/8" – 2" will be the most efficient and economical system available, and

WHEREAS for the purpose of commercial meters ranging from 2" and up it is the recommendation of the Water Department to use Master Meter Octave meters with external radio transmitters, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA NYCRR, part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that for reasons stated herein, the Town will standardize purchase of water meters (AMR) and ancillary equipment to Master Meter, BLMJ 3G meters, drive by laptop reading system complete with software, interface software to billing system and for commercial meters, Master Meter Octave meters with external radio transmitters.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother

NAYS: None

RESOLUTION NO. 111-15
2015 TIMBER HARVESTING ON WATER DISTRICT NO. 4

Resolution by: Saglibene

Seconded by: Gillette

WHEREAS Water District No. 4, timber is in the ten year cycle of harvesting, and

WHEREAS the Town of Big Flats has hired Forester Peter Marchese to survey and make the timber to be harvested, and

WHEREAS bids will be released for harvesting the week of April 20, 2015 and closed on April 24, 2015, and

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 111-15, 2015 TIMBER HARVESTING ON WATER DISTRICT NO. 4
continued

WHEREAS the revenue from this sale will be placed in the reserve account of Water District No. 4, for future needs to the system, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (6) and as such no further action is necessary regarding the same, now

THEREFORE BE IT RESOLVED that the Water Board authorizes the Town Supervisor to enter into an agreement with the recommended company from Forester Peter Marchese.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

Since there was no further business to come before the Water Board, Supervisor Fairbrother closed the Water Board at 8:18 p.m.

Supervisor Fairbrother opened the Town Board Meeting at 8:19 p.m.

TOWN BOARD

PUBLIC HEARING: 7:04 p.m. Local Law #2 Code of Ethics

Supervisor Fairbrother called the public hearing to order at 8:20 p.m., and read the legal notice duly advertised in the Elmira Star Gazette on April 11, 2015, to allow public comments regarding the Local Law No. 2 of 2015, amending the Code of Ethics, and to replace the Town of Big Flats Municipal Code, Chapter 2.08.

IN FAVOR: None

OPPOSITION: None

COMMENTS: None

Since there were no further comments, Supervisor Fairbrother closed the public hearing at 8:21 p.m.

CONCERNS OF THE PEOPLE – Thomas Mckibben, 465 Hickory Grove Road, stated the company he works for wanted to buy the old CT building on Sears Road, but they were told it could not be used as a truck depot any more. Why is that? Supervisor Fairbrother replied that the zoning law has changed there, and after one year if a truck company does not come in, it goes back to what the zoning changes were. Supervisor mentioned, you're welcome to come in and talk to our Code Officer Tim Gilbert about the zoning, but I believe that trucking is no longer allowed there, it's a non-conforming expired use.

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

MINUTES

Councilperson Gillette made a motion, seconded by Councilperson Giammichele to approve the Town Board minutes of March 11, 2015 as presented. All in favor, motion carried.

Councilperson Gillette made a motion, seconded by Councilperson Giammichele to approve the Town Board minutes of March 25, 2015 as presented. All in favor, motion carried.

Councilperson Gillette made a motion, seconded by Councilperson Giammichele to approve the Special Town Board minutes of April 8, 2015 as presented. All in favor, motion carried.

UNFINISHED BUSINESS

RESOLUTION NO. 112-15 LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED

Resolution by: Giammichele

Seconded by: Adams

Code of Ethics for Town Employees and Officers

WHEREAS Article 18 of the General Municipal Law prohibits the officers and employees of a municipality from having certain conflicts of interest, and

WHEREAS Section 806(1)(a) of the General Municipal Law requires the governing body of each county, city (other than the City of New York), town, village, school district and fire district to adopt a code of ethics that sets forth for the guidance of its officers and employees standards of conduct reasonably expected of them, and

WHEREAS Section 806 of the General Municipal Law also authorizes the governing body of any other municipality to adopt such a code of ethics, and

WHEREAS a code of ethics adopted by the governing body of a municipality must set forth standards of conduct for the guidance of the officers and employees of the municipality with respect to disclosure of interests in legislation and other matters before the local governing body, the holding of investments in conflict with official duties, private employment in conflict with official duties, future employment, and such other standards as may be deemed advisable, and

WHEREAS for environmental review purposes, interpreting an existing code, and adoption of regulations, policies, or procedures and local legislative decisions are Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (31, 27) and as such no further action is necessary regarding the same, now

WHEREAS an amendment whereby the Town of Big Flats proposes to adopt a code of ethics to read as below and which will entirely replace Chapter 2.08 of the Town of Big Flats Municipal Code and become a new Chapter 2.08 therein titled "Code of Ethics" and shall be Local Law #2 of 2015 was proposed to be adopted, and

RESOLUTION NO. 112-15, LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED continued

WHEREAS, a public hearing was held on this date, April 22, 2015 at 7:04 p.m., now

BE IT RESOLVED that what shall be known as Local #2 of 2015 which is set forth below shall be approved and replace what is presently contained in Chapter 2.08 of the Town of Big Flats Municipal Code.

Code of Ethics of the Town of Big Flats

Section 1. Purpose.

Officers and employees of the Town of Big Flats hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Town Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

Section 2. Definitions.

(a) “Board” means the governing board of a municipality and any municipal administrative board (e.g. planning board, zoning board of appeals), commission, or other agency or body comprised of two or more municipal officers or employees.

(b) “Code” means this code of ethics.

(c) “Interest” means a direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization’s outstanding stock.

(d) “Municipality” means The Town of Big Flats. The word “municipal” refers to the municipality.

(e) “Municipal officer or employee” means a paid or unpaid officer or employee of the Town of Big Flats, including, but not limited to, the members of any municipal board.

(f) “Relative” means a spouse, parent, step-parent, sibling, step-sibling, sibling’s spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

RESOLUTION NO. 112-15, LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED continued

Section 3. Applicability.

This code of ethics applies to the officers and employees of the Town of Big Flats, and shall supersede any prior municipal code of ethics. The provisions of this code of ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Town of Big Flats.

Section 4. Prohibition on use of municipal position for personal or private gain.

No municipal officer or employee shall use his or her municipal position or official powers and duties to secure a financial or material benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

Section 5. Disclosure of interest in legislation and other matters.

(a) Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the municipal officer or employee shall disclose in writing the nature of the interest.

(b) The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.

(c) In the case of a person serving in an elective office, the disclosure shall be filed with the governing board of the municipality. In all other cases, the disclosure shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the municipal officer, employee or board having the power to appoint to the person's position. In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.

Section 6. Recusal and abstention.

(a) No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

(b) In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 112-15, LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED continued

- (1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or
- (2) if the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.
- (3) if the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

Section 7. Prohibition inapplicable; disclosure, recusal and abstention not required.

(a) This code's prohibition on use of a municipal position (section 4), disclosure requirements (section 5), and requirements relating to recusal and abstention (section 6), shall not apply with respect to the following matters:

- (1) adoption of the municipality's annual budget;
 - (2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 - (i) all municipal officers or employees;
 - (ii) all residents or taxpayers of the municipality or an area of the municipality; or
 - (iii) the general public; or
 - (3) any matter that does not require the exercise of discretion.
- (b) Recusal and abstention shall not be required with respect to any matter:
- (1) which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by section 6 of this code;
 - (2) which comes before a municipal officer when the officer would be prohibited from acting by section 6 of this code and the matter cannot be lawfully delegated to another person.

Section 8. Investments in conflict with official duties.

(a) No municipal officer or employee may acquire the following investments:

RESOLUTION NO. 112-15, LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED continued

- (1) investments that can be reasonably expected to require more than sporadic recusal and abstention under section 6 of this code; or
 - (2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.
- (b) This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:
- (1) real property located within the municipality and used as his or her personal residence;
 - (2) less than five percent of the stock of a publicly traded corporation; or
 - (3) bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

Section 9. Private employment in conflict with official duties.

No municipal officer or employee, during his or her tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

- (a) can be reasonably expected to require more than sporadic recusal and abstention pursuant to section 6 of this code;
- (b) can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;
- (c) violates section 805-a(1)(c) or (d) of the General Municipal Law* [see below]; or
- (d) requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

Section 10. Future employment.

- (a) No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.
- (b) No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in

RESOLUTION NO. 112-15, LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED continued

connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves.

(c) No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

Section 11. Personal representations and claims permitted.

This code shall not be construed as prohibiting a municipal officer or employee from:

- (a) representing himself or herself, or his or her spouse or minor children before the municipality; or
- (b) asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children.

Section 12. Use of municipal resources

(a) Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.

(b) No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:

- (1) any use of municipal resources authorized by law or municipal policy;
 - (2) the use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his or her compensation; or
 - (3) the occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.
- (c) No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

Section 13. Interests in Contracts.

(a) No municipal officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law.

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 112-15, LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED continued

(b) Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by section 803 of the General Municipal Law.

Section 14. Nepotism.

Except as otherwise required by law:

(a) No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.

(b) No municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.

Section 15. Political Solicitations.

(a) No municipal officer or employee shall directly or indirectly to compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.

(b) No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

Section 16. Confidential Information.

No municipal officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.

Section 17. Gifts.

(a) No municipal officer or employee shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.

(b) No municipal officer or employee may directly or indirectly solicit any gift.

(c) No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more when:

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 112-15, LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED continued

(1) the gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties;

(2) the gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or

(3) the gift is intended as a reward for any official action on the part of the officer or employee.

(d) For purposes of this section, a “gift” includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.

(e) (1) A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.

(2) A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.

(f) This section does not prohibit any other gift, including:

(1) gifts made to the municipality;

(2) gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift;

(3) gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;

(4) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;

RESOLUTION NO. 112-15, LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED continued

- (5) awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or
- (6) meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

Section 18. Board of Ethics.

- (a) There is hereby established a board of ethics for the Town of Big Flats. The board of ethics shall consist of three members, a majority of whom shall not be officers or employees of the Town of Big Flats, but at least one of whom must be a municipal officer or employee. The members of such board of ethics shall be appointed by the Town Board, and shall serve at the pleasure of the Town Board, and receive no salary or compensation for their services as members of the board of ethics.
- (b) The board of ethics shall render advisory opinions to the officers and employees of the Town of Big Flats with respect to article 18 of the General Municipal Law and this code. Such advisory opinions must be rendered pursuant to the written request of any such officer or employee under such rules and regulations as the board of ethics may prescribe. The board of ethics shall have the advice of legal counsel employed by the Board, or if none, the municipality's legal counsel. In addition, the board of ethics may make recommendations with respect to the drafting and adoption of a code of ethics, or amendments thereto, upon the request of the Town of Big Flats.

Section 19. Posting and distribution.

- (a) The Town Supervisor must promptly cause a copy of this code, and a copy of any amendment to this code, to be posted publicly and conspicuously in each building under the municipality's control and shall cause a copy thereof to be given to every officer or employee of the Town of Big Flats. The code must be posted within ten days following the date on which the code takes effect. An amendment to the code must be posted within ten days following the date on which the amendment takes effect.
- (b) The Town Supervisor must promptly cause a copy of this code, including any amendments to the code, to be distributed to every person who is or becomes an officer and employee of the Town of Big Flats.
- (c) Every municipal officer or employee who receives a copy of this code or an amendment to the code must acknowledge such receipt in writing. Such acknowledgments must be filed with the clerk of the municipality, who must maintain such acknowledgments as a public record.
- (d) The failure to post this code or an amendment to the code does not affect either the applicability or enforceability of the code or the amendment. The failure of a municipal officer or employee to receive a copy of this code of ethics or an amendment to the code, or to

RESOLUTION NO. 112-15, LOCAL LAW # 2 ADOPTING THE REVISION OF CHAPTER 2.08 OF THE TOWN MUNICIPAL CODE APPROVED continued

acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

Section 20. Enforcement.

Any municipal officer or employee who violates this code may be censured, fined, suspended or removed from office or employment in the manner provided by law.

Section 21. Effective date.

This code takes effect immediately upon approval by resolution.

*General Municipal Law Section 805-a

Certain action prohibited.

1. No municipal officer or employee shall:

- a.) directly or indirectly, solicit any gift, or accept or receive any gift having a value of seventy-five dollars or more, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties or was intended as a reward for any official action on his part;
- b.) disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interests;
- c.) receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee; or
- d.) receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

2. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate this section may be fined, suspended or removed from office or employment in the manner provided by law.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

NEW BUSINESS

RESOLUTION NO. 113-15
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Adams
Seconded by: Saglibene

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for April 2015, and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 518,212.25
HIGHWAY FUND	\$ 281,143.93
SEWER DISTRICT #1	\$ 162.34
WATER DISTRICT #1	\$ 17,338.77
WATER DISTRICT #2	\$ 19,658.38
WATER DISTRICT #3	\$ 6,315.06
WATER DISTRICT #4	\$ 1,243.30
LIGHTING DISTRICT	\$ 927.89
TRUST & AGENCY	\$ 1,850.11

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 114-15
VOID CHECK/DELETE VOUCHER APPROVED

Resolution by: Saglibene
Seconded by: Gillette

WHEREAS a memorandum was received from the Bookkeeper, dated April 15, 2015 requesting authorization to void a specific check, and delete voucher, and

WHEREAS the Backflow certification course for S Crater & J Stermer was cancelled due to lack of adequate number of participants.

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to void check #14000, deleting voucher # 4004782, for \$1,600.00 payable to LU #112 Education & Apprenticeship Fund, dated March 17, 2015.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 115-15

EVERYTHING MEDICAL SERVICE FOR THE MAINTENANCE AGREEMENT FOR THE
TOWN HALL BUILDING ELEVATOR APPROVED

Resolution by: Gillette

Seconded by: Giammichele

WHEREAS the Town Board needs to enter into a quarterly elevator maintenance agreement for the Town Hall building with Everything Medical, and

WHEREAS the Town Supervisor recommends the Town Board enter into a maintenance agreement with Everything Medical, for the purpose of providing safety circuit checks, electronic circuit checks, and lube rails on the elevator systems within the Town Hall building, and

WHEREAS Everything Medical is the inspector for the Towns elevator, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to enter into an agreement with Everything Medical for the purpose of providing quarterly elevator maintenance on the elevator systems for the Town Hall building at a cost of \$780.00 annually, retroactive to January 1, 2015.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother

NAYS: None

RESOLUTION NO. 116-15

ROAD SALT PURCHASE FOR 2015 – 2016 THROUGH STATE BID APPROVED

Resolution by: Giammichele

Seconded by: Adams

WHEREAS the Town will need to purchase salt for winter road maintenance for 2015-2016, and

WHEREAS the State bid for road salt is listed under Group No. 01800, and

WHEREAS the contract period for road salt is September 1, 2015 through August 31, 2016, and

WHEREAS the state mandated that a Requirement Letter be filed with OGS prior to May 30, 2015 to participate in purchasing under State Bid, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 116-15, ROAD SALT PURCHASE FOR 2015 – 2016 THROUGH STATE
BID APPROVED continued

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to purchase road salt, not to exceed Two Thousand One Hundred Sixty (2,160) tons, utilizing State Bid contract for the duration of said contract period.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 117-15
TOWN OF BIG FLATS HANDBOOK AS SUMMITTED BY
PUBLIC SECTOR HR CONSULTANTS LLC APPROVED

Resolution by: Adams
Seconded by: Saglibene

WHEREAS the Town of Big Flats has hired Public Sector HR Consultants LLC to review and update the Towns Employee Handbook, and

WHEREAS the Town Attorney, Town Supervisor, along with several town employees have proposed changes to the Town's Handbook and have reviewed to present copy with the proposed changes and refinements and approved the same, and

WHEREAS the town's union, CSEA has reviewed the Town Handbook and has approved the revisions to the Town of Big Flats Handbook, and

WHEREAS the Town Board has received copies of the revised Town Handbook, without any comments or reply's being provided to the Town Supervisor, and

WHEREAS the Town Supervisor will hold a meeting with all town employees to cover the new handbook and to have each town employee receive a copy of the revised handbook, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

THEREFORE BE IT RESOLVED that the Town Board accepts the revised Handbook as final, submitted by Public Sector HR Consultants and authorizes the Town Supervisor to administer said handbook as required by law and ensure that it is made accessible to all employees.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 118-15
AGREEMENT FOR ONE YEAR WITH eCIVIC FOR GRANTS APPROVED

Resolution by: Saglibene

Seconded by: Gillette

WHEREAS the Town of Big Flats has been looking for grants for several departments in the town of Big Flats, and

WHEREAS eCIVIC has a data base of all state, government grants and private foundation grants, and

WHEREAS eCIVIC focus on the existing research and management of grants and the task of shorten the cycle for identification of new funding sources, and

WHEREAS eCIVIC has the expertise with grant-focused services to allow the town to dramatically improve its ability to search for and manage grants, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

THEREFORE BE IT RESOLVED that the Town Board authorize the Town Supervisor to enter into an agreement with eCIVIC for a two user grant system for one year for a cost not to exceed \$1,600

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother

NAYS: None

RESOLUTION NO. 119-15
REQUEST PRICING FOR THE TOWNS NATURAL GAS SUPPLIER APPROVED

Resolution by: Gillette

Seconded by: Giammichele

WHEREAS the current supplier of natural gas is changing the town at a rate of .6999 per THERM, and

WHEREAS the Town Supervisor has been in touch with several suppliers at a rate far less than the Town's current rate, and

WHEREAS the town could save up to 48% on the cost of natural gas over the next two years relating to several thousands of dollars annually of savings, and

WHEREAS the Town Supervisor will place the purchase of natural gas for the next two years out to at least three firms, and

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 119-15, REQUEST PRICING FOR THE TOWNS NATURAL GAS
SUPPLIER continued

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

THEREFORE BE IT RESOLVED that the Town Board authorizes the Town Supervisor the solicit quotes for the town's natural gas for the next two years based on the cost per THERM and except the best value for natural gas and report the findings and acceptance to the Town Board.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 120-15
VIDEO FRANCHISE FEES TO THE EXTENSION OF FIBER OPTIC CABLE TO THE
TOWN OF BIG FLATS APPROVED

Resolution by: Giammichele
Seconded by: Adams

WHEREAS the Town of Big Flats has granted and had approved three separate video franchises for delivery by cable with Time Warner Cable, Community Cable Corporation d/b/a North Penn Video and Empire Video Service Corporation, and

WHEREAS each franchise agreement provides that the Town of Big Flats shall receive 3% of the gross revenues of video cable fees paid by subscribers received by each franchisee, and

WHEREAS the Town seeks to encourage expansion of the delivery of fiber optic services to as many parts of the Town of Big Flats as possible in the future, and

WHEREAS for environmental review purposes, interpreting an existing code, and adoption of regulations, policies, or procedures and local legislative decisions are Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (31, 27) and as such no further action is necessary regarding the same, now

IT IS HEREBY RESOLVED that all sums received from all three franchisees from the date this resolution is approved shall be segregated into a separate budgetary item and be utilized to help fund with the approval of the Board for each sum expended the extension of fiber optic cable only services within the Town of Big Flats.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO.121-15

JAMES W HOUCK APPOINTMENT TO THE UNEXPIRED TERM FOR THE
BOARD OF ASSESSMENT REVIEW APPROVED

Resolution by: Adams

Seconded by: Saglibene

WHEREAS a vacancy on the Board of Assessment Review has taken place with the resignation of a member, and

WHEREAS James W. Houck 136 Rocking Chair Road, Horseheads, NY, in the Town of Big Flats has expressed interest in filling the unexpired term, and

WHEREAS a member of the Board of Assessment Review has recommended James W Houck for the position, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

THEREFORE BE IT RESOLVED that the Town Board appoints James W Houck to the unexpired term to end September 30, 2018 to the Board of Assessment Review and the Town Supervisor will advise James W Houck to be sworn in by the Town Clerk and to report to the Town Assessor for proper training.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother

NAYS: None

RESOLUTION NO. 122-15

SURPLUS A 2000 GMC Pickup VIN. # 1GTEK19V1YE231492 TO THE CITY OF ELMIRA
DEPARTMENT OF PUBLIC WORKS FOR INKIND SERVICES APPROVED

Resolution by: Saglibene

Seconded by: Gillette

WHEREAS the Town of Big Flats Department of Public Works is to surplus a 2000 GMC Pickup, and

WHEREAS the City of Elmira Department of Public Works is in need of a pickup truck, and

WHEREAS the Town of Big Flats is in need of in-kind services of at least \$500 from the City of Elmira Department of Public Works, and

WHEREAS the City of Elmira Department of Public Works and the Town of Big Flats have a shared services agreement, and

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 122-15, SURPLUS A 2000 GMC Pickup VIN. # 1GTEK19V1YE231492 TO THE CITY OF ELMIRA DEPARTMENT OF PUBLIC WORKS FOR INKIND SERVICES
APPROVED continued

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

THEREFOR BE IT RESOLVED the Town Board authorizes the Town of Big Flats to surplus the 2000 GMC pickup VIN. # 1GTEK19V1YE231492 to the City of Elmira Department of Public Works for in-kind services.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 123.15
GEOFORCE SERVICE AGREEMENT APPROVED

Resolution by: Gillette
Seconded by: Giammichele

WHEREAS the Commissioner of Public Works recognized the need to sign a GEOFORCE service agreement, and

WHEREAS Geoforce Track and Trace for Vehicles will increase safety, track operations and increase efficiencies in the DPW, and

WHEREAS 14 DPW vehicles will have units installed on them, 5 Highway dump trucks, 2 Highway pickups, 3 Parks pickups, 2 Water pickups, 1 floater to be used on the Highway mower, sweeper or 550 Ford pickup during winter operations, and

WHEREAS the cost of services include a one-time activation fee of \$490 and a monthly service fee \$279.30 for 36 months, to be paid out of account - Machinery 5130.4, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to sign a GEOFORCE service agreement at cost not to exceed a one-time activation fee of \$490 and a monthly service fee \$279.30 for 36 months.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 124-15
DPW EQUIPMENT TRAILER PURCHASE APPROVED

Resolution by: Gillette
Seconded by: Adams

WHEREAS the Commissioner of Public Works recognized the need to purchase a new Equipment Trailer for the DPW, and

WHEREAS the current 1990 Custom YW is beyond its use full life and the undercarriage is rotted beyond repair, and

WHEREAS the current 1990 Custom YW will not pass New York State Inspection, and

WHEREAS the current 1990 Custom YW will be sold for scrap, and

WHEREAS the purchase of a new Equipment Trailer for the DPW was not planned and budgeted for by the Town Board for the year 2015, and

WHEREAS the Ford 550 Dump was planned and budgeted \$55,000 by the Town Board for the year 2015, be deferred to 2016, and

WHEREAS the quoted price from Tracey Road Equipment Inc. using the NJPA contract #031014-FTS for a 2015 Felling FT-50-3TA Trailer, for the sum of Thirty Five Thousand, Nine Hundred Forty Four Dollars (\$35,944), and

WHEREAS for environmental review purposes, the purchasing of equipment is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5(c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to purchase a 2015 Felling FT-50-3TA Trailer, for the sum not to exceed Thirty Five Thousand, Nine Hundred Forty Four Dollars (\$35,944), from Tracey Road Equipment Inc. using the NJPA contract #031014-FTS

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

RESOLUTION NO. 125-15
FOLLOWING POSITIONS RECEIVED A SALARY INCREASE APPROVED

Resolution by: Adams
Seconded by: Saglibene

WHEREAS the Town Supervisor has done a review of the salaries for all positions for the Town of Big Flats, and

WHEREAS the Town Supervisor has reviewed these recommendations to the Town Board, and

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

RESOLUTION NO. 125-15, FOLLOWING POSITIONS RECEIVED A SALARY INCREASE
APPROVED continued

WHEREAS with the review changes that the Town Board has recommended were included, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

THEREFORE BE IT RESOLVED that the Town Board approves the following amounts by which the listed positions' salaries will be increased retroactive to January 1, 2015. Job titles: Justice Clerk fulltime \$2,261, Principal Account Clerk, Water Department \$3,205, Department of Public Works, Secretary full-time \$1,144 and Deputy Town Clerk \$1,321.

CARRIED: AYES: Gillette, Adams, Saglibene, Fairbrother
NAYS: Giammichele

RESOLUTION NO. 126-15
COMMUNICATION LOG FOR FEBRUARY 25, 2015 APPROVED

Resolution by: Saglibene

Seconded by: Gillette

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

March 21, 2015

Judy Wardell - RE: Thanks, for kindness and sympathy. Referred to: *Town Board, and filed with Town Clerk.*

April 8, 2015

Horseheads Character Education Committee 2015 - RE: Posters, and Character trait banners displayed. Referred to: *Town Board, Community Center, and filed with Town Clerk.*

April 15, 2015

Time Warner Cable – RE: April 15, 2015 Programming Notice Changes Referred to: *Town Board, and filed with Town Clerk.*

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother
NAYS: None

Supervisor Fairbrother also reported:

- Dog Signs – will be put up on the walking trails, & at parks, regarding cleaning up after your dog.
- Concerts at Tags – Parking agenda for Community Park during Concerts.
- I86 project – have been very productive, a lot of entries coming together
- Novus training – working on training, so we can go paperless

WATER & TOWN BOARD MEETING OF APRIL 22, 2015

Supervisor Fairbrother also reported: continued

- Handbook - presentation for employees TBA
- Parks cleanup– May 2nd Softball Fields
- Parks - speed bumps
- Klee update – Attorney Reilly spoke on updates
- Hammond Street – Attorney Reilly spoke on updates
- Update as to Emhart Powers
- LED sign
- Gas going out to bid - rate now is .6999 now
- Meeting with Shawn Crater on water rates
- Community Center is having an Open House & Information Fair, Thursday June 4th, from 5:00-07:00 pm.
- Williams Gas – it's part of Chesapeake (moved in the IST complex), Margaret Lorden contacted Fairbrother regarding there company really wants to help out in the Town, and offered Earth day.

Councilperson Giammichele made a motion, seconded by Councilperson Adams to adjourn the Town Board meeting at 9:23 p.m. All in favor, motion carried.

Date approved: _____ Linda Cross
Town Clerk